IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1036 (S/S) of 2005

Pan Singh Rawat,
Son of Sri Madan Singh Rawat,
Resident of Village – Mauna,
Block – Narayan Bagarh,
Tehsil – Tharali,
District – Chamoli. **…….Petitioner.**

Versus

1. State of Uttaranchal through Secretary, Secondary Education, Government of Uttaranchal, Dehradun.
2. Director of Education, 2 Subhash Road, Dehradun.
3. Joint Director of Education, Garhwal Mandal, Pauri.
4. District Education Officer, Chamoli at Gopeshwar.
5. Principal, Sri Guru Government Intermediate College, Bhagwati, District – Chamoli.

…….Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Pankaj Purohit, learned counsel for the petitioner and learned Standing Counsel, who has accepted notices on behalf of respondents.

Learned counsel for the both the parties are agree to decide the writ petition at its admission stage itself.

By means of this petition, the petitioner has prayed to issue a writ in the nature of Mandamus commanding the respondents to extend the benefits of Government Order No. 647/ Madhyamik / 2003 dated 20.09.2003 to pay him the honorarium at the rate of Rs. 4000/- per month at the rate prescribed thereunder and further to give appointment to the petitioner as Shiksha Bandhu in

the Intermediate College keeping in view his long standing service as a Parent Teacher Associations Teacher as well as his qualification.

Learned counsel for the petitioner has submitted that petitioner was appointed on 01.07.1997 as Parent Teacher Association Teacher in Sri Guru Janta Intermediate College, Bhagwati, Chamoli.

On 20.09.2003 the Government issued an order by which an arrangement to pay honorarium at the rate of Rs. 4000/- per month to the PTA teachers who are working in non Government Aided College of Uttaranchal was made. The benefit of the said Government Order was not extended by mistake to the PTA Teachers, who are working in District – Chamoli.

In the month of January, 2004 Sri Guru Janta Intermediate College was provincialized. The Management of School made representation before respondent nos. 1 and 2 regarding extension of benefit of Government Order dated 20.09.2003 to PTA Teachers working in the College, which was recommended by the District Education Officer.

Learned counsel for the petitioner has further submitted that the petitioner has completed more than eight years of service in the said college and is qualified to be appointed as Assistant Teacher LT Grade or he could be accommodated as Shiksha Bandu in the college. In spite of several representation petitioner is not getting the honorarium of Rs. 4000/- per month as other similarly situated persons are getting.

During the course of argument learned counsel for the petitioner has submitted that petitioner may be permitted to make a representation to Director of Education, Uttaranchal and Director of Education, Uttaranchal be directed to decide his representation within a particular period.

Considering the facts and circumstances of the case, it is in the interest of justice that petitioner is permitted to make a representation before Director of Education, Uttaranchal within ten days from today and Director of Education, Uttaranchal is directed to decide the petitioner's representation within a period of three weeks from the date of production of certified copy of this order alongwith representation.

With this direction, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

July 27, 2005
SKSharma